

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GIGAMON, INC.**v.****APCON, INC.**

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Case No. 2:19-cv-00300-JRG

**MINUTES FOR JURY SELECTION/JURY TRIAL DAY NO. 1
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP
April 16, 2021**

OPEN: 09:36 AM**ADJOURN: 03:25 PM**

ATTORNEYS FOR PLAINTIFF:	See attached.
ATTORNEYS FOR DEFENDANT:	See attached.
LAW CLERKS:	Lee Matalon Will Nilsson Cason Cole
COURT REPORTER:	Shelly Holmes, CSR-TCRR
COURTROOM DEPUTY:	Andrea Brunson

<u>TIME</u>	<u>MINUTES</u>
09:36 AM	Court opened. Court's greeting, introduction and preliminary instructions to Jury Pool.
09:51 AM	Court asked for announcements from the parties.
09:51 AM	Court continued with information and preliminary instructions to Jury Pool.
10:01 AM	Prospective Jurors begin introduction of themselves.
10:35 AM	Court provided additional instructions to Jury Pool.
10:38 AM	Voir dire on behalf of Plaintiff by Mr. Davis.
11:04 AM	Voir dire on behalf of Defendant by Mr. Smith.
11:22 AM	Court provides further instructions to Jury Pool.
11:24 AM	Strike conference with Mr. Davis and Mr. Smith.
11:33 AM	Strike conference completed. Court reconvened.
11:34 AM	Attorneys excused to exercise strikes. Court recessed.
11:58 AM	Court reconvened. Jurors selected. Remainder of panel excused.
12:05 PM	Jurors sworn and additional instructions given by the Court.
12:25 PM	Jurors excused for lunch.
12:27 PM	Court recessed for lunch.

<u>TIME</u>	<u>MINUTES</u>
01:35 PM	Court reconvened. Jury returned to courtroom. Court gave preliminary instructions to the Jury. Jurors were given jury notebooks.
02:20 PM	Plaintiff's opening statement by Mr. Kellman.
02:51 PM	Defendant's opening statement by Mr. Alper.
03:21 PM	Opening statements concluded.
03:22 PM	Plaintiff invoked the Rule to exclude expert witnesses.
03:22 PM	Court provided further instructions to Jury.
03:24 PM	Jury excused for the day until Monday morning at 8:30 AM.
03:25 PM	Court provided instructions to counsel.
03:25 PM	Court adjourned for the day until Monday morning.